

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>80350-1440</b>
INTERNATIONAL APPLICATION NO. <b>PCT/FR04/00810</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/550,783</b>
INTERNATIONAL FILING DATE <b>31 March 2004</b>		PRIORITY DATE CLAIMED <b>31 March 2003</b>
TITLE OF INVENTION Intragastric Balloon Coated with Parylene, a Method of Fabricating such a Balloon and of Using Parylene to Coat and Intragastric Balloon		
APPLICANT(S) FOR DO/EO/US <b>PAGANON, Pascal</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/550,783</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FR04/00810</b>		ATTORNEY'S DOCKET NUMBER <b>80350-1440</b>	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 0	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 0	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations.....\$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 0	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations.....\$500					
<b>TOTAL OF 21, 22 and 23 =</b>					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$ 0	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 0	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$ 0	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 130.00	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0	
<b>TOTAL FEES ENCLOSED =</b>				\$ 130.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

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130.00 OP


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0178. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

**ADVISORY:** If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

  
SIGNATURE  
James W. Kavden  
NAME  
31,532  
REGISTRATION NUMBER

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
UNDER THE PATENT COOPERATION TREATY**

In Re Application of: **Paganon**  
U.S. Serial No.: 10/550,783  
(Nat. Phase of Int. Appl. No.: PCT/FR04/00810)  
U.S. Filing Date: 27 September 2005  
(Int. Filing Date: 31 March 2004)  
Title: INTRA-GASTRIC BALLOON COATED IN PARYLENE, A METHOD OF FABRICATING  
SUCH A BALLOON AND OF USING PARYLENE TO COAT AN INTRAGASTRIC BALLOON  
Atty Docket No.: 80350-1440

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

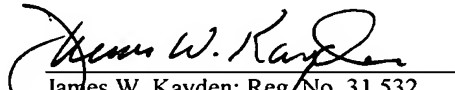
Sir:

Enclosed for filing in the above-captioned International application are the following documents:

1. Transmittal Letter (duplicate copy of fee page);
2. Copy of Notification of Missing Requirements under 35 U.S.C. 371;
3. Response to Notification of Missing Requirements under 35 U.S.C. 371;
4. Executed Combined Declaration and Power of Attorney;
5. Credit Card Payment Form in the amount of \$130.00; and
6. Return receipt postcard.

The Commissioner is authorized to charge the deposit account No. 20-0778 any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778.

Respectfully submitted,

  
James W. Kayden; Reg. No. 31,532  
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**  
Suite 1750  
100 Galleria Parkway, N.W.  
Atlanta, GA 30339-5948  
Telephone: (770) 933-9500  
Facsimile: (770) 951-0933

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I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service as "Express Mail", under Express Mail Label No. **EV 907932765 US** service under 37 CFR 1.10 on the date indicated below.

Date: November 9, 2006

  
Gina Silverio



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,783	Pascal Paganon	80350-1440

INTERNATIONAL APPLICATION NO.
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PCT/FR04/00810

I.A. FILING DATE	PRIORITY DATE
03/31/2004	03/31/2003

James W Kayden  
 Thomas Kayden Horstemeyer & Risley  
 Suite 1750  
 100 Galleria Parkway N W  
 Atlanta, GA 30339-5948

CONFIRMATION NO. 1801

371 FORMALITIES LETTER



\*OC000000020936408\*

Date Mailed: 10/23/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/27/2005
- Copy of the International Search Report filed on 09/27/2005
- Preliminary Amendments filed on 09/27/2005
- Small Entity Statement filed on 09/27/2005
- U.S. Basic National Fees filed on 09/27/2005
- Priority Documents filed on 09/27/2005

SCANNED

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

THOMAS KAYDEN  
 HORSTEMEYER & RISLEY, LLP

NMR  
 DOCKETED  
 One 12/23/06

OCT 26 2006

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,783	PCT/FR04/00810	80350-1440

FORM PCT/DO/EO/905 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Confirmation No. 1801

Paganon

Serial No: 10/550,783

Docket No.: 80350-1440

PCT Filing Date: 31 March 2004

For: INTRA-GASTRIC BALLOON COATED IN PARYLENE, A METHOD OF  
FABRICATING SUCH A BALLOON AND OF USING PARYLENE TO  
COAT AN INTRAGASTRIC BALLOON

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

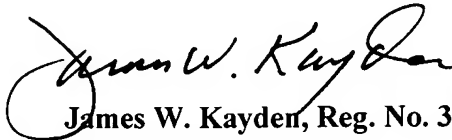
Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Requirements mailed on October 23, 2006, the Applicant herewith submits a signed Combined Declaration and Power of Attorney in connection with the above-identified application.

If the Office believes that additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,



James W. Kayden, Reg. No. 31,532  
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER**  
**& RISLEY, L.L.P.**  
100 Galleria Parkway, NW, Suite 1750  
Atlanta, Georgia 30339-5948

Date: 9-Nov 2006  
Customer No: 24504